

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

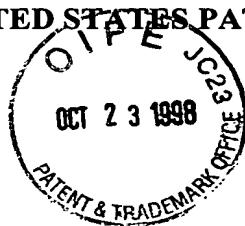
Gautvik et al.

Serial No.: 08/340,664

Filed: November 16, 1994

For: PRODUCTION OF HUMAN PARA-
THYROID HORMONE FROM
MICROORGANISMS

Assistant Commissioner for Patents
Washington, D.C. 20231



Group Art Unit: 1646

Examiner: L. Spector

Sir:

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Petitioner, ASTRA AKTIENBOLAG, S-151 85 Sodertalje, Sweden, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 08/340,664, filed on November 16, 1994, for "PRODUCTION OF HUMAN PARATHYROID HORMONE FROM MICROORGANISMS," which is a divisional of U.S. Patent Application Serial No. 08/087,471, filed on July 2, 1993, now U.S. Patent No. 5,420,242, which is a continuation of U.S. Patent Application Serial No. 07/821,478, filed on January 15, 1992, which is a continuation of U.S. Patent Application Serial No. 07/404,970, filed on September 8, 1989, which is a continuation-in-part of U.S. Patent Application Serial No. 07/393,851, filed on August 14, 1989, now U.S. Patent No. 5,010,010, which is a continuation of U.S. Patent Application Serial No. 06/921,684, filed on October 22, 1986, by virtue of an Assignment filed in the United States Patent and Trademark Office (PTO) from the

PATENT
ATTORNEY DOCKET NO.: 048283-0144
APPLN. NO.: 08/340,664

inventors to ASTRA AKTIENBOLAG and recorded at Reel 8806, Frame 0301, a copy of which is attached as Exhibit 1.

Further, Petitioner represents that it is the owner of the entire right, title, and interest in and to U.S. Patent No. 5,010,010, for "PRODUCTION OF HUMAN PARATHYROID HORMONE FROM MICROORGANISMS," which issued on U.S. Patent Application Serial No. 07/393,851, filed on August 15, 1989, which is a continuation of U.S. Patent Application Serial No. 06/921,684, filed on October 22, 1986, by virtue of an Assignment filed in the PTO from the inventors to Selmer-Sande, A.S., Norway, recorded at Reel 6498, Frame 0429, and an Assignment from Selmer-Sande, A.S., to ASTRA AKTIENBOLAG at Reel 8800, Frame 0559. A copy of U.S. Patent No. 5,010,010, providing a summary of the assignment data, is attached as Exhibit 2.

Petitioner, ASTRA AKTIENBOLAG, hereby disclaims the terminal part of the term of any patent granted on the above-identified application which would extend beyond the full statutory term of U.S. Patent No. 5,010,010, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,010,010, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the full statutory term of U.S. Patent No. 5,010,010, as defined in 35 U.S.C. §§ 154-156 and 173, in the event that U.S. Patent No. 5,010,010 expires for failure to pay a maintenance fee, is held unenforceable, or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise deemed not to provide the rights conveyed by 35 U.S.C. § 154 prior to the full statutory term of U.S. Patent No. 5,010,010 as defined in 35 U.S.C. § 154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any extension or restoration of term relating to any patent granted on the above-identified application, which extension or restoration is effected under 35 U.S.C. §§ 155, 155A, or 156 or any other applicable statute. The undersigned, being an Attorney of Record for the above-identified application and duly authorized to act on behalf of

PATENT
ATTORNEY DOCKET NO.: 048283-0144
APPLN. NO.: 08/340,664

Petitioner, certifies that she has reviewed the Assignment(s) data described above, and to the best of her knowledge and belief, legal title in the above-identified application rests with Petitioner, ASTRA AKTIENBOLAG.

The undersigned declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

By: Michele M Schafer
Michele M. Schafer
Reg. No. 34,717

Dated: Oct 23, 1998

Foley & Lardner
Washington Harbour
3000 K Street, N.W.
Washington, D.C. 20007
Phone: (202) 672-5538
Fax: (202) 672-5399